



House of Representatives

General Assembly

File No. 448

February Session, 2012

Substitute House Bill No. 5462

House of Representatives, April 16, 2012

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT REQUIRING THE SUSPENSION OF A MOTOR VEHICLE
OPERATOR'S LICENSE FOR MULTIPLE OCCURRENCES OF
OPERATING A MOTOR VEHICLE WITHOUT A LICENSE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 14-111 of the 2012 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2012*):

4 (b) (1) Except as provided in subdivision (2) of this subsection,
5 whenever the holder of any motor vehicle operator's license has been
6 convicted or has forfeited any bond taken or has received a suspended
7 judgment or sentence for any of the following violations, the
8 commissioner shall, without hearing, suspend such person's operator's
9 license or privilege to operate a motor vehicle in this state as follows:
10 For a first violation of subsection (a) of section 14-224 or section 14-110,
11 14-215 or 53a-119b, for a period of not less than one year and, for a
12 subsequent violation thereof, for a period of not less than two years;
13 for a violation of subsection (a) of section 14-222 or subsection (c) of

14 section 14-224, for a period of not less than thirty days or more than
15 ninety days and, for a subsequent violation thereof, for a period of not
16 less than ninety days; for a violation of subsection (b) of section 14-224,
17 for a period of not less than ninety days and, for a subsequent violation
18 thereof, for a period of not less than one year; for a first violation of
19 subsection (b) of section 14-147, for a period of not less than ninety
20 days and, for a subsequent violation thereof, for a period of not less
21 than five years; for a first violation of subsection (c) of section 14-147,
22 for a period of not less than thirty days and, for a subsequent violation
23 thereof, for a period of not less than one year.

24 (2) Notwithstanding the provisions of section 14-111b, whenever the
25 holder of any motor vehicle operator's license or learner's permit who
26 is less than eighteen years of age or whenever a person who does not
27 hold an operator's license who is less than eighteen years of age has
28 been convicted or has forfeited any bond taken or has received a
29 suspended judgment or sentence for any of the following violations,
30 the commissioner shall suspend such person's operator's license or
31 privilege to obtain an operator's license as follows: For a first violation
32 of subdivision (4) of subsection (a) of section 14-219 or subdivision (4)
33 of subsection (b) of section 14-219, for a period of sixty days and, for a
34 second violation thereof, for a period of ninety days and, for a third or
35 subsequent violation thereof, for a period of six months; for a first
36 violation of subsection (a) of section 14-222, for a period of six months
37 and, for a subsequent violation thereof, for a period of one year; for a
38 violation of subsection (c) of section 14-224, for a period of six months
39 and, for a subsequent violation thereof, for a period of one year; for a
40 first violation of section 14-296aa, for a period of thirty days and, for a
41 second violation thereof, for a period of ninety days and, for a third or
42 subsequent violation thereof, for a period of six months.

43 (3) Whenever any person who has not been issued a motor vehicle
44 operator's license under section 14-36 is convicted of a second or
45 subsequent violation of subsection (a) of section 14-36: (A) The
46 commissioner shall designate such second or subsequent violation as a
47 suspension of such person's operator's license, (B) such suspension

48 shall remain in effect for a period of ninety days, and (C) the
49 commissioner shall not issue an operator's license to such person
50 under section 14-36 until such period of suspension has expired and all
51 applicable requirements for such license have been satisfied by such
52 person.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2012	14-111(b)
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TRA *Joint Favorable C/R*

JUD

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill results in no fiscal impact to the Department of Motor Vehicles because the department's vehicle operator records contain unlicensed violations of an individual.

OLR Bill Analysis**sHB 5462*****AN ACT REQUIRING THE SUSPENSION OF A MOTOR VEHICLE OPERATOR'S LICENSE FOR MULTIPLE OCCURRENCES OF OPERATING A MOTOR VEHICLE WITHOUT A LICENSE.*****SUMMARY:**

This bill requires the motor vehicles commissioner to treat an individual's second or subsequent conviction for driving without a driver's license as a 90-day license "suspension." It prohibits the commissioner from issuing the offender a license until (1) this 90-day period expires and (2) the offender has satisfied all applicable license requirements. The law already prohibits the commissioner from issuing a driver's license, for a period of time the commissioner determines, to a person who drives without holding a Connecticut driver's license (CGS § 14-111 (g)).

EFFECTIVE DATE: October 1, 2012

BACKGROUND***Penalties for Driving Without a License***

It is illegal to operate a motor vehicle (1) without a driver's license or (2) when the driver's license or right to operate in Connecticut (if a nonresident) has been suspended or revoked.

By law, a first violation of driving without a license is an infraction that carries a fine of between \$75 and \$90; subsequent offenses carry a fine of between \$250 and \$350, up to 30 days in jail, or both.

In addition, someone who violated either of the above laws (e.g., operated without a license or under suspension) once before must be fined an additional amount up to \$500 or sentenced to up to 100 hours

of community service. Someone who violated either of the above laws at least twice before, or both at least once before, faces a prison sentence of one year, and must serve at least 90 days (CGS § 14-36 (i)).

Related Law

The law prohibits the commissioner from issuing a driver's license for at least one year to anyone age 17 or less who is convicted of operating a motor vehicle without a license, if the commissioner finds that the offender did not hold a license at the time of the offense (CGS § 14-36k).

COMMITTEE ACTION

Transportation Committee

Joint Favorable Change of Reference

Yea 37 Nay 0 (03/14/2012)

Judiciary Committee

Joint Favorable Substitute

Yea 45 Nay 0 (03/28/2012)